

City Clerk File No. Ord. 17-016
Agenda No. 3.A 1st Reading
Agenda No. 4.A 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-016

TITLE:

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) OF THE JERSEY CITY CODE DESIGNATING 119 FEET ON THE SOUTH SIDE OF EIGHTEENTH STREET BEGINNING AT JERSEY AVENUE AS NO PARKING ANYTIME; AMENDING SECTION 332.25(NO PARKING CERTAIN HOURS) DESIGNATING 40 FEET OF NO PARKING 7:00 A.M. TO 9:00 A.M. AND 3:00 P.M. TO 7:00 P.M., MONDAY THROUGH FRIDAY FOR THE VIAQUENTI DAY SCHOOL (ENTRANCE ON EIGHTEENTH STREET) AND AMENDING SECTION 332-48 (DESIGNATION OF PARKING SPACES) DESIGNATING THE SOUTH SIDE OF SEVENTEENTH STREET AND THE NORTH SIDE OF EIGHTEENTH STREET BETWEEN JERSEY AVENUE AND COLES STREET AS ON-STREET METERED PARKING

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (No Parking Any Time) of the Jersey City Code is hereby supplemented as follows:

Section 332-22 PARKING PROHIBITED AT ALL TIMES
No person shall park a vehicle on any of the streets or parts thereof described.

Name of Street	Side	Limits
Eighteenth St	North	Jersey Av to Coles St
	<u>South</u>	<u>Jersey Av 119 feet west</u>

Section 332-24 PARKING PROHIBITED CERTAIN HOURS
No person shall park a vehicle between the times specified upon any of the streets, or parts thereof, listed below.

Name of Street	Sides	Days of Week	Hours	Limits
<u>Eighteenth St</u>	<u>South</u>	<u>M - F</u>	<u>7:00 a.m. to 9:00 a.m.</u> <u>3:00 p.m. to 7:00 p.m.</u>	<u>119 feet west of Jersey Av 40 feet west</u>

Continued.....
JDS:pcl
(01.26.17)

Section 332-48

DESIGNATION OF PARKING SPACES

A. On-Street Parking Meter Zones. Parking or standing a vehicle in a parking meter space in the on-street parking meter zones described below shall be lawful during the hours of 9:00 a.m. to 6:00 p.m. Monday through Saturday and only, unless designated otherwise by a sign on the meter or a posted sign, upon the deposit of such amount as indicated for each specified period of time:

Parking Meter Zones

Name of Street	Limits
<u>Eighteenth St</u>	<u>South side; 159 feet west of Jersey Av to Coles St</u>
<u>Seventeenth St</u>	<u>North side; 100 feet east of Coles St to Jersey Av</u>

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material to be inserted is new and underscored.

JDS:pcl
(01.26.17)

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED:
Director of Traffic & Transportation

APPROVED:
Municipal Engineer

APPROVED:
Business Administrator



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
DEPARTMENT OF ADMINISTRATION
DIVISION OF ENGINEERING, TRAFFIC & TRANSPORTATION

Municipal Services Complex
13-15 Linden Avenue East | Jersey City, NJ 07305
Engineering Desk: 201-547-4411 | Traffic Desk: 201-547-4470



ROBERT KAKOLESKI
BUSINESS ADMINISTRATOR

MEMORANDUM

DATE: January 27, 2017

TO: Jeremy Farrell, Corporation Counsel
Robert Kakoleski, Business Administrator
Robert Byrne, City Clerk
Councilwoman Osborne, Ward E

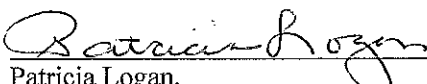
FROM: Patricia Logan, Supervising Traffic Investigator
Division of Engineering, Traffic and Transportation

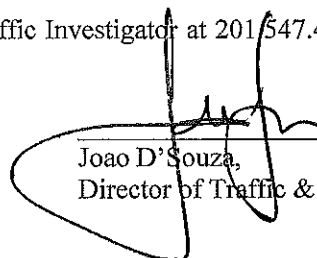
SUBJECT: **CAST IRON LOFTS**
PROPOSED ORDINANCE & PROPOSED RESOLUTION

At the request of Heather Kumer, Connell Foley, LLP on behalf of Cast Iron Lofts, please be advised, this Division has proposed an Ordinance (for the Council's consideration) amending Chapter 332(Vehicles and Traffic) Section 332-22(No Parking Any Time) designating 119 feet on the south side of Eighteenth Street beginning at Jersey Avenue as "no parking any time. This was requested by the Fire Department. We are also amending Section 332-34(Parking Prohibited Certain Hours) designating 40 feet of no parking, Monday through Friday, on the south side of Eighteenth Street, 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 7:00 p.m. at the request of the Viaquenti Day School to facilitate dropping-off and picking-up the children that attend the School and amending Section 332-48(Designation of Parking Spaces) designating the unrestricted parking areas on the south side of Eighteenth Street and the north side of Seventeenth Street, between Jersey Avenue and Coles Street, as on-street metered parking zones. A loading zone Resolution has also been proposed designating a 75 foot loading zone on the north side of Seventeenth Street beginning 25 feet east of Coles Street. The loading zone will be in effect Monday through Saturday, 7:00 a.m. to 7:00 p.m. This loading zone will facilitate deliveries to and from the residents of Cast Iron Lofts, Business Offices, Retail Businesses as well as deliveries the Supermarket.

Councilwoman Osborne has been made aware of the proposed amendments via Email. (Copy attached). The recommended amendments should appear on the Agenda for the February 8, 2017 Municipal Council Meeting.

Feel free to contact Patricia Logan, Supervising Traffic Investigator at 201/547.4492 or at PatriciaL@icnj.org if you have any questions.


Patricia Logan,
Supervising Traffic Investigator


Joao D'Souza,
Director of Traffic & Transportation

C: Andrew Vischio, P.E., Assistant Traffic Engineer
Jose Cunha, P.E., C.M.E., C.P.W.M., C.R.P., Municipal Engineer
Chief of Staff Mark Albiez
Mary Spinello-Paretti, Business Administrator, Division of Parking Enforcement, Public Safety
Heather Kumer, Associate, Connell Foley LLP
Council President LaVarro, Jr. Councilwoman Watterman
Councilman Gajewski Councilman Gadsden
Councilman Yun Councilman Robinson
Councilman Rivera
Councilman Boggiano

Patricia Logan

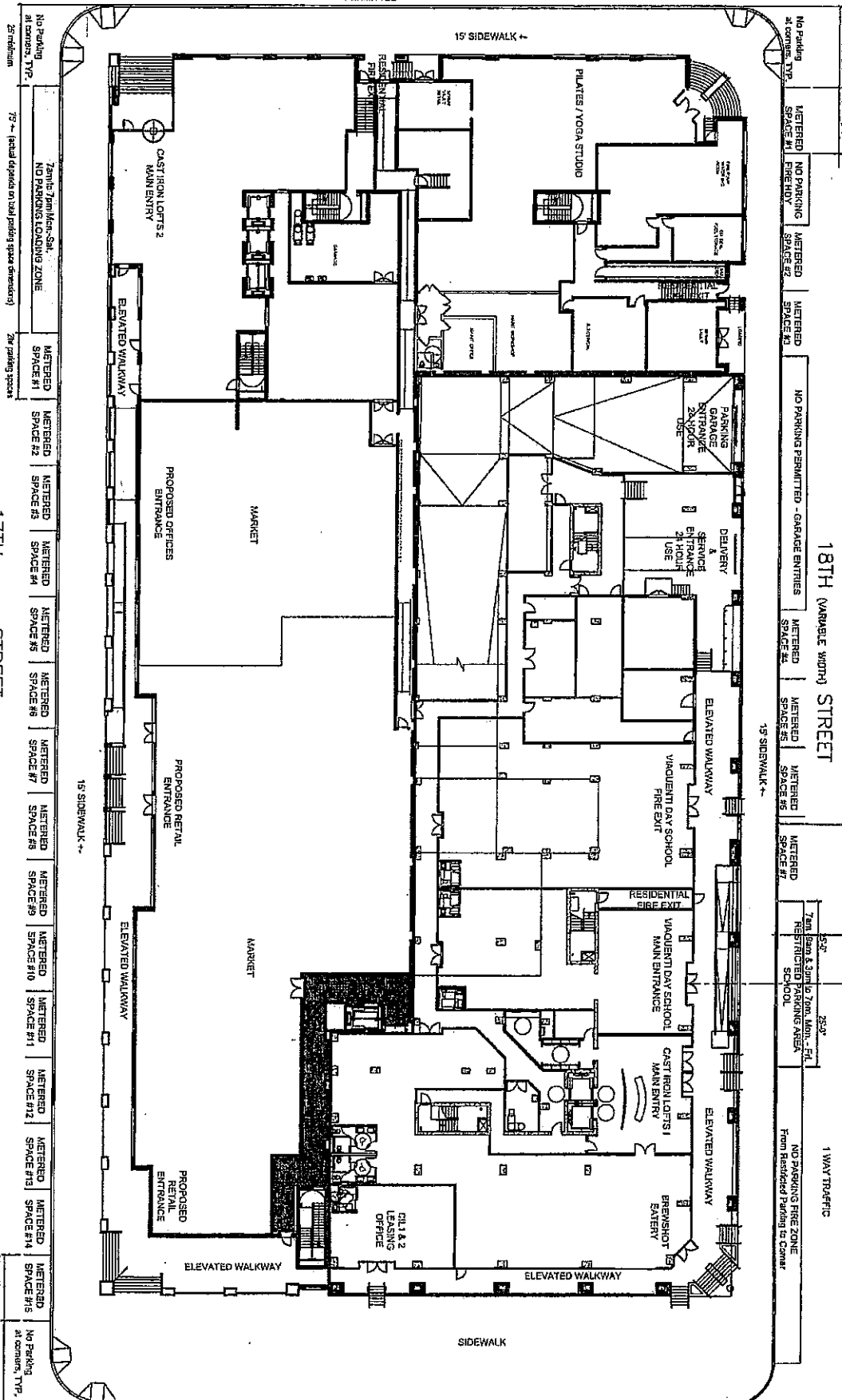
From: Patricia Logan
Sent: Friday, January 27, 2017 1:13 PM
To: 'Candice Osborne'
Cc: Andrew Vischio; Joao D'Souza; Joao D'Souza; Robert Kakoleski
Subject: Cast Iron Lofts Legislation

Good afternoon Councilwoman

We are proposing legislation for the February 8th Municipal Council meeting at the request of Heather Kumer, Connell Foley, LLP on behalf of Cast Iron Lofts, amending Chapter 332(Vehicles and Traffic) Section 332-22(No Parking Any Time) designating 119 feet on the south side of Eighteenth Street beginning at Jersey Avenue as "no parking any time. This was requested by the Fire Department. We are also amending Section 332-34(Parking Prohibited Certain Hours) designating 40 feet of no parking, on the south side of Eighteenth Street, Monday through Friday, 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 7:00 p.m. at the request of the Viaquenti Day School to facilitate dropping-off and picking-up the children that attend the School and amending Section 332-48(Designation of Parking Spaces) designating the unrestricted parking areas on the south side of Eighteenth Street and the north side of Seventeenth Street, between Jersey Avenue and Coles Street, as on-street metered parking zones. A loading zone Resolution has also been proposed designating a 75 foot loading zone on the north side of Seventeenth Street beginning 25 feet east of Coles Street. The loading zone will be in effect Monday through Saturday, 7:00 a.m. to 7:00 p.m. This loading zone will facilitate deliveries to and from the residents of Cast Iron Lofts, Business Offices, Retail Businesses as well as deliveries the Supermarket. Please advise if you have any objection to proposing this legislation. Feel free to contact me via Email at or at 4492 if you have any questions.

Sincerely,
The City of Jersey City
Department of Administration

Patricia Logan, Supervising Traffic Investigator
Division of Engineering, Traffic and Transportation
Municipal Services Complex/13-15 Linden Avenue East
Jersey City, New Jersey 07305
201.547.4492



2 WAY TRAFFIC

405x
22 Feb
m-f
7am-9am
3pm-7pm

119 ST
N= PARK AND TIME

18TH (VARIABLE WIDTH) STREET

1 WAY TRAFFIC

JERSEY AVENUE NO PARKING/LOADING
PERMITTED
JERSEY (80' WIDE) AVENUE

MAJPCS (MAD 1963) 2007

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) OF THE JERSEY CITY CODE DESIGNATING 119 FEET ON THE SOUTH SIDE OF EIGHTEENTH STREET BEGINNING AT JERSEY AVENUE AS NO PARKING ANYTIME; AMENDING SECTION 332.25(NO PARKING CERTAIN HOURS) DESIGNATING 40 FEET OF NO PARKING 7:00 A.M. TO 9:00 A.M. AND 3:00 P.M. TO 7:00 P.M., MONDAY THROUGH FRIDAY FOR THE VIAQUENTI DAY SCHOOL (ENTRANCE ON EIGHTEENTH STREET) AND AMENDING SECTION 332-48 (DESIGNATION OF PARKING SPACES) DESIGNATING THE SOUTH SIDE OF SEVENTEENTH STREET AND THE NORTH SIDE OF EIGHTEENTH STREET BETWEEN JERSEY AVENUE AND COLES STREET AS ON-STREET METERED PARKING

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Joao D'Souza at the request of Heather Kumer, Associate, Connell Foley LLP on behalf of Cast Iron Lofts, 837 Jersey Avenue, JCNJ	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

At the request of the Fire Department the south side of Eighteenth Street from Jersey Avenue to 119 feet west is to be designated as "no parking any time."

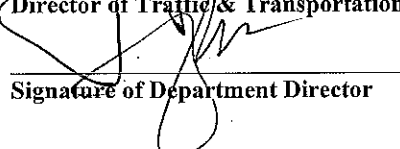
At the request of the Viaquenti Day School, 40 feet will be designated as "no parking" Monday through Friday, 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 7:00 p.m. to facilitate the drop-off and pick-up of the children attending the School.

The unrestricted portions on the south side of Eighteenth Street and the north side Seventeenth Street will be designated as on-street metered parking in order to maintain optimum parking availability on the streets surrounding Cast Iron Lofts.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation



Signature of Department Director

1/27/17

Date

2/1/17

Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-016
TITLE: 3.A FEB 8 2017 4.A

FEB 22 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) amending Section 332-22 (Parking Prohibited at All Times) of the Jersey City Code designating 119 feet on the south side of Eighteenth Street beginning at Jersey Avenue as No Parking Anytime; amending Section 332.25 (No Parking Certain Hours) designating 40 feet of No Parking 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 7:00 p.m., Monday through Friday for the Viaquenti Day School (Entrance on Eighteenth Street) and amending Section 332-48 (Designation of Parking Spaces) designating the south side of Seventeenth Street and the north side of Eighteenth Street between Jersey Avenue and Coles Street as On-Street metered parking.

RECORD OF COUNCIL VOTE ON INTRODUCTION

FEB 08 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING

FEB 22 2017 8-0

Councilperson WATTERMANN moved, seconded by Councilperson OSBORNE to close P.H.

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

MIKE KULOWSKI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE

FEB 22 2017 8-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

FEB 08 2017

Adopted on first reading of the Council of Jersey City, N.J. on

FEB 22 2017

Adopted on second and final reading after hearing on

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **FEB 22 2017**

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date

FEB 22 2017

APPROVED:

Steven M. Fulop, Mayor

FEB 23 2017

Date

Date to Mayor

FEB 23 2017

City Clerk File No. Ord. 17-017
Agenda No. 3.B 1st Reading
Agenda No. 4.B 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-017

TITLE: AN ORDINANCE GRANTING PERMISSION TO 207 VAN VORST STREET REALTY COMPANY LLC, ITS SUCCESSORS AND ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS IN THE SUSSEX STREET RIGHT OF WAY NORTH OF VAN VORST STREET ADJACENT TO PROPERTY LOCATED AT 193-197-213 VAN VORST STREET, VAN VORST STREET AND MARIN BOULEVARD, JERSEY CITY, NEW JERSEY, ALSO KNOWN ON THE TAX MAPS OF THE CITY OF JERSEY CITY AS BLOCK 14205, LOTS 14.02, 15, 16, 17.01 AND 18.

WHEREAS, 207 Van Vorst Street Realty Company LLC ("Petitioner"), having an office located at One Henderson Street, Hoboken, NJ 07030, is the owner of the property located at 197 and 213 Van Vorst Street, Jersey City, and known as Block 14205, Lots 14.02 and 16 on the current tax maps of the City of Jersey City; and

WHEREAS, pursuant to a Jersey City Planning Board Resolutions for Preliminary and Final Major Site Plan Approval with deviations for Phase 1 and Preliminary Major Site Plan Approval with Deviations for Phase 2, as well as Final Major Site Plan Approval with Deviations for Phase 2, Case No. P15-011, Petitioner and its affiliate, 207 Van Vorst Street Realty Company (Phase II) LLC were granted approval to develop a two phase mixed-use project, which will contain two buildings, one of which is up to 15 stories in height and the second of which is up to 16 stories in height, consisting of a total of four hundred eight (408) residential units, approximately 12,103 square feet of retail and/or commercial space, structured parking containing approximately 252 parking spaces, an approximately 11,300 square foot public access pedestrian plaza, cross-street improvements to Van Vorst and Morris Streets and a public access dog run, which will be partially located within Sussex Street (the "Project"). Also, as part of the site plan approval, a portion of the property owned by New Jersey Transit Corporation will be improved with pedestrian walkway and landscaping improvements, subject to final approval of New Jersey Transit Corporation. The Project is located at 193-197-213 Van Vorst Street and Marin Boulevard, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Block 14205, Lots 14.02, 15, 16, 17.01 and 18, which is located within Tidewater Basin Redevelopment Plan (the "Approval"); and

WHEREAS, as part of the Approval, the Petitioner must construct a public access dog run to be located on a portion of Lot 16 that minimally extends onto the surface of the Sussex Street right of way, which dead ends in the area that will include a portion of the dog run, as more particularly depicted and described in the Franchise Plan, Exhibit A, Site Plan for Phase 1, Exhibit B and Metes and Bounds Description, Exhibit C, attached hereto; and

WHEREAS, the Petitioner was required to file this Petition for a Franchise Ordinance pursuant to the requirements of the Approval and the Tidewater Basin Redevelopment Plan; and

WHEREAS, the franchise for the public access dog run within the Sussex Street right of way shall be in effect for twenty (20) years from the date upon which Approval for the Project was granted by the Jersey City Planning Board;

WHEREAS, there will be no negative impact or diminishment to the right-of-way for pedestrian use as the contemplated improvements are minimally invasive to the right of way area or are located beneath the surface of the right of way; and

WHEREAS, the Petitioner has filed a petition for relief and represented to the Municipal Council of the City of Jersey City that the passage of this Ordinance is in the best interests of the City of Jersey City, and its residents and essential for the construction of the development; and

WHEREAS, after due notice was given in accordance with law, a public hearing was held on the Petition filed by Petitioner to grant permission to use a portion of Sussex Street for the following purposes:

1. The construction, operation and maintenance of a public access dog run.
2. All costs associated with these improvements will be incurred by the Petitioner, and there being no objections thereto.

WHEREAS, the Jersey City Engineering Department has required that the Petitioner obtain a franchise ordinance from the City Council of the City of Jersey City in order to construct the private improvements within the right of way, as contained within the Approval for the Project; and

WHEREAS, a franchise ordinance is required to permit the construction of the private improvements within the public right-of-way; and

WHEREAS, by reason of the character of the development of the area within which this property is situated, the said improvements will greatly benefit Jersey City and the surrounding neighborhood; and

WHEREAS, the public interest will be served by said improvements, which will be of great benefit to the citizens of Jersey City and Hudson County and the rights of the public will not be injuriously or adversely affected by the requested relief;

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Jersey City, that:

SECTION I. Permission be, and is hereby granted to 207 Van Vorst Street Realty Company LLC, its successors and assigns, for a portion of lands located within the Sussex Street public right of way adjacent to 193-197-213 Van Vorst Street, Van Vorst Street, and Marin Boulevard, Jersey City, and known as Block 14205, Lots 14.02, 15, 16, 17.01 and 18 on the current tax maps of the City of Jersey City, said areas being more particularly described as follows and on the Franchise Plan, Site Plan and Metes and Bounds descriptions attached hereto as Exhibit A, Exhibit B and Exhibit C respectively to be used for the following purposes.

1. The construction, operation and maintenance of a public access dog run.
2. Sussex Street dead ends in the area that will include a portion of the dog run.
3. There will remain sufficient area in the right-of-way for typical pedestrian use.
4. The required improvements will be constructed consistent with the plans approved by the Jersey City Planning Board, the Jersey City Department of Engineering, and the Jersey City Municipal Utilities Authority.
5. All costs associated with these improvements will be incurred by the Petitioner.
6. The required improvements are necessary to construct the proposed development consistent with the development approvals and will benefit the Petitioner's property, the surrounding neighborhood, and greater Jersey City.

SECTION II. All the work herein authorized shall be done under the supervision of the proper department or departments of the City of Jersey City. Further, all the work herein authorized shall comply with any applicable State of New Jersey Uniform Construction Code requirements. The construction plans shall be submitted to the City Engineer for his review and comments prior to the start of construction. After construction there shall remain no damage to the sidewalk or roadway or interference with the free and safe flow of pedestrian traffic. 207 Van Vorst Street Realty Company LLC, and its successors and assigns, shall construct, operate and maintain all improvements installed by them for the entire term of this Franchise at no cost or inconvenience to the City.

SECTION III. The franchise granted in this Ordinance for the public access dog run within the Sussex Street right of way shall remain in full force and effect for a period of twenty (20) years from the date that Approval was granted by the Jersey City Planning Board for the Project. This Ordinance shall take effect upon final passage and publication according to law. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioners one year prior to the date of cancellation.

SECTION IV. All costs and expenses incident to the introduction, passage and publication of this Ordinance shall be borne and paid by said 207 Van Vorst Street Realty Company LLC.

SECTION V. In accepting the privileges of this Ordinance and the installation, maintenance, and use hereby authorized, 207 Van Vorst Street Realty Company LLC, its successors and assigns hereby agrees to assume full, complete and undivided responsibility for any and all injury or damage to persons or property by reason of said installation, maintenance and use, and to indemnify and hold the City of Jersey City harmless from all injury or damage to persons or property by reason of such installation, maintenance and use (except such injury or damage which is caused by the negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance. Upon the grant of Approval for the Project by the Jersey City Planning Board, 207 Van Vorst Street Realty Company LLC, its successors and assigns, shall maintain in effect, during the term of this franchise, Two Million (\$2,000,000.00) Dollars in general liability insurance or in such amount and type as the City's Risk Manager may reasonably require from time to time naming the City of Jersey City, its officers and employees as additional insured, covering the use and occupancy of the public property subject to this franchise. A Certificate of Insurance in a form deemed acceptable by the City's Risk Manager evidencing the required insurance coverage, shall be delivered to the Risk Manager before use or occupancy of the premises subject to this Franchise Ordinance.

SECTION VI. This Ordinance shall not become effective unless an acceptance hereof in writing is filed by the Petitioner with the City Clerk. In the event, that the Petitioner shall not file with the City Clerk their acceptance in writing of the provisions of this Ordinance within 30 days after receiving notice of its passage, this Ordinance shall become void and be of no effect.

SECTION VII. Only with prior written consent and approval by the City Council of the City of Jersey City, which consent and approval shall not be unreasonably withheld, shall Petitioner have the right to assign or otherwise transfer their rights under this Franchise Ordinance.

SECTION VIII. An easement for the duration of this Ordinance is reserved for the benefit of the City of Jersey City and all public utility companies including any cable television company as defined in the "Cable Television Act", P.L. 1972, c. 186 (c. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this Franchise Ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this Franchise Ordinance.

SECTION IX. For the rights and privileges herein granted, said beneficiaries hereunder, their successors and assigns, shall pay annually to the City of Jersey City the sum of One Dollar (\$1.00), which payment shall be made annually on the 1st day of July next succeeding the time when this Ordinance shall become effective and on each first day of July thereafter until the termination of this Ordinance.

SECTION X. A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance certified and incorporated in the official copies of the Jersey City Code.

C. This Ordinance shall take effect at the time and in the manner as provided by law.

D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repeals of existing provisions.

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐

Not Required ☐

APPROVED:

APPROVED:

Business Administrator

PETITION

TO: THE HONORABLE, THE MAYOR AND MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY:

Your Petitioner, 207 Van Vorst Street Realty Company LLC having an office located at One Henderson Street, Hoboken, NJ 07030, respectfully says that:

1. Petitioner is the owner of the property located at 197 and 213 Van Vorst Street, Jersey City, and known as Block 14205, Lot 14.02 and 16, on the current tax maps of the City of Jersey City. Petitioner and its affiliate, 207 Van Vorst Street Realty Company (Phase II) LLC were granted Preliminary and Final Major Site Plan Approval with deviations for Phase 1 and Preliminary Major Site Plan Approval with Deviations for Phase 2, as well as Final Major Site Plan Approval with Deviations for Phase 2, to develop a two phase mixed-use project, which will contain two buildings, one of which is up to 15 stories in height and the second of which is up to 16 stories in height, consisting of a total of four hundred eight (408) residential units, approximately 12,103 square feet of retail and/or commercial space, structured parking containing approximately 252 parking spaces, an 11,300 square foot public access pedestrian plaza, cross-street improvements to Van Vorst and Morris Streets and a public access dog run, which will be partially located within Sussex Street (the "Project"). Also, as part of the site plan approval, a portion of the property owned by New Jersey Transit Corporation will be improved with pedestrian walkway and landscaping improvements, subject to the final approval of New Jersey Transit Corporation. The Project is located within the Tidewater Basin Redevelopment Plan.

2. Petitioner proposes to obtain permission from the City to use the Sussex Street right-of-way north of Van Vorst Street for the following purposes:

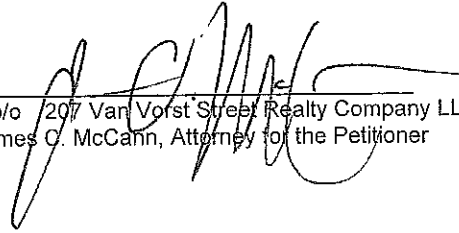
- A. The construction, operation and maintenance of a public access dog run.
- B. All costs associated with these improvements will be incurred by the Petitioner, and there being no objections thereto.

3. Petitioner has presented the proposed improvements to the Jersey City Engineering Department, which has conditioned its approval of the proposed improvements upon the Petitioner being granted a franchise ordinance by the City Council of the City of Jersey City.

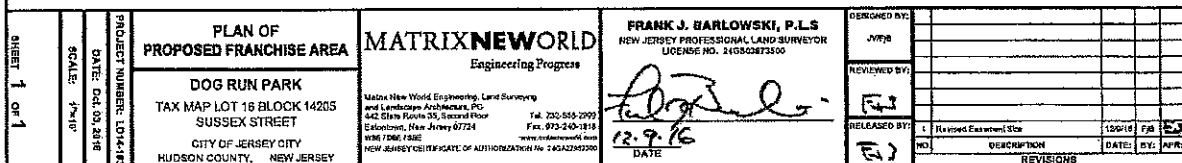
4. The contemplated improvements are necessary to construct the proposed development consistent with the development approvals, and will greatly benefit the Petitioner's property, the surrounding area and neighborhood, and greater Jersey City.

WHEREFORE, your Petitioner respectfully prays for himself, its successors and assigns, for the enactment of a Franchise Ordinance to allow him to make private improvements within and under the public right-of-way of Sussex Street, all as more particularly shown on the plans annexed hereto and made a part hereof.

By:


o/b/o 207 Van Vorst Street Realty Company LLC
James C. McCann, Attorney for the Petitioner

© MATHYXNEWCOM, INC. New Jersey LPS/John Fields Development L014-117 - 203-207 Van Vorst Street Site Plan (Survey) Dwg L014-121, Franchise plan Revised, 2016-02-09, 5/20



© HARRINGTON CONSULTING INC. 10/5/16 Job: Field Development D14-123 - 203-207 Van Vleet Street Site Plan.dwg Plot Sheet: 103-Site Plan.dwg 10-3 SITE



EXHIBIT C

Matrix New World Engineering, Land Surveying
and Landscape Architecture, PC
442 State Route 35, 2nd Floor
Eatontown, NJ 07724
P: 732.588.2999 F: 973.240.1818
Certificate of Authorization No. 24GA27962300
www.matrixnewworld.com WSE006588

MATRIXNEWORLD
Engineering Progress

October 3, 2016
Revised December 9, 2016

Job No. 14-183

**DESCRIPTION OF
PROPOSED FRANCHISE AGREEMENT
TAX LOT 16 BLOCK 14205 / SUSSEX STREET
SITUATED IN
CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY**

The proposed Dog Run Park Franchise being located within the right of way of Sussex Street adjacent to Tax Lot 16 Block 14205 in the City of Jersey City, Hudson County, New Jersey; said Sussex Street and Tax Lot 16 Block 14205 as shown on the current Tax Assessment Maps prepared for the City of Jersey City, Hudson County, New Jersey.

The Proposed Dog Run Park Franchise being more particularly described as follows:

BEGINNING at a point along the southerly line of Sussex Street, (60.0' R.O.W.), said point being North 81 degrees 56 minutes 23 seconds West 163.00 feet measured along the said southerly line of Sussex Street from the intersection formed with the westerly line of Van Vorst Street, (60.0' R.O.W.), being the beginning corner of Parcel I described in a deed from Hartz Products Corporation and 79-01 Associates recorded in the office of the Hudson County Register of Deeds on November 19, 1971 in Deed Book 3109 page 985:

1. North 81 degrees 56 minutes 23 seconds West 12.00 feet measured along the southerly line of Sussex Street to a point; thence
2. North 08 degrees 03 minutes 37 seconds East 30.00 feet measured along the westerly terminal line of Sussex Street to a point; thence the following two (2) courses across and through the right-of-way of Sussex Street
3. South 81 degrees 56 minutes 23 seconds East 12.00 feet to a point; thence
4. South 08 degrees 03 minutes 37 seconds West 30.00 feet to the point and place of **BEGINNING**.

Containing 360 square feet of land.

The above described subject to any and all easements and/or restrictions, if any, being within and/or crossing the same bounds as described above.

This description is prepared in accordance with a map entitled "Plan of Proposed Franchise Area Dog Run Park Tax Lot 16 Block 14205 Sussex Street, City of Jersey City, Hudson County, New Jersey" prepared by Matrix New World, dated October 3, 2016, revised December 9, 2016.

Prepared By:



Frank J. Barlowski
Professional Land Surveyor
New Jersey License No. 24GS03973500

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-017
TITLE: 3.B FEB 8 2017 4.B

FEB 22 2017

A Franchise Ordinance granting permission to 207 Van Vorst Street Realty Company LLC, its successors and assigns, to make private improvements in the Sussex Street right of way north of Van Vorst Street adjacent to property located at 193-197-213 Van Vorst Street, Van Vorst Street and Marin Boulevard, Jersey City, New Jersey, also known on the tax maps of the City of Jersey City as Block 14205, Lots 14.02, 15, 16, 17.01 and 18.

RECORD OF COUNCIL VOTE ON INTRODUCTION FEB 08 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 22 2017 8-0											
Councilperson <u>RIVERA</u>				moved, seconded by Councilperson <u>OSBORNE</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

KULOWSKI
JAMES McCANN

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE FEB 22 2017 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **FEB 08 2017**
Adopted on second and final reading after hearing on **FEB 22 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **FEB 22 2017**

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED: [Signature]
Rolando R. Lavarro, Jr., Council President
Date **FEB 22 2017**

APPROVED: [Signature]
Steven M. Fulop, Mayor
Date **FEB 23 2017**

Date to Mayor **FEB 23 2017**